IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 3072 OF 2003

IN

SUIT NO. 3239 OF 2003

Nanjing Hongtai Grinding
Wheel Co.Ltd ...Plaintiffs.
vs.
Tristar International ...Defendants.

Mr. Shekhar Shetye with Ramesh Gajria and Miss Deepa Hate iby. Gajaria and Co.
for the plaintiffs.
U.J. Makhija a/w. Priti Shah
for the defendants

CORAM: S.U. KAMDAR, J.

DATE : 2nd March, 2006.

P.C. :

1. Learned counsel appearing for the defendant has tendered an affidavit dated 2/3/2006. The same is taken on record. The defendant in para no.6 states that they will not sell any grinding/cutting wheels under the mark 'NKK'.

Learned counsel for the defendant further states that though they have stated in para 3 of the affidavit that they will import the goods from various other countries but assures the court that even if the said goods are imported they will not use the mark 'NKK' inrelation to such import of the goods and sell in the market. Learned counsel for the defendant states that he will file details/statement of size wise grinding mills within a period of two weeks from today and give the exact quotation available with him as of today. The defendant will be at liberty to dispose off the said goods only with the mark NKK. The said goods are to be disposed off within a period of 8 months from today. The defendant will not sell either of the goods except what is available in the store or continue to sell the goods even inrespect of the store item under the mark NKK. Store Statement to be filed in court within a period of two weeks and copy thereof to be furnished to the plaintiff.

sd/-

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